

**A SUBSTITUTE RESOLUTION
BY FINANCE/EXECUTIVE COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACTUAL AGREEMENT WITH MOTOROLA FOR THE CITY OF ATLANTA CITYWIDE RADIO SYSTEM CHANNEL BANK UPGRADE PURSUANT TO CITY CODE SECTION 2-1191; TO AUTHORIZE A MULTI-YEAR LEASE-PURCHASE AGREEMENT FOR A TERM OF FIVE (5) YEARS IN AN AMOUNT NOT TO EXCEED THE SUM OF \$519,527 ANNUALLY FOR THE ACQUISITION OF A NEW TURNKEY CHANNEL BANK SYSTEM TO REPLACE THE EXISTING MICROWAVE CHANNEL BANKS AND THE 800 MHz TRUNKING SYSTEM SIMULCAST INTERFACE, WITH A TOTAL COST OVER FIVE (5) YEARS NOT TO EXCEED \$2,597,635; ALL COSTS TO BE PAID FROM APPROPRIATE FUND, ACCOUNT, AND CENTER NUMBERS.

WHEREAS, the City of Atlanta ("City") and Motorola, Inc., have in existence a maintenance agreement relating to certain equipment originally provided by Motorola in connection with the Citywide Radio System (the "Motorola Maintenance Agreement"), and Motorola has been providing support and maintenance to the City pursuant to various terms and conditions under that agreement, as amended from time to time; and

WHEREAS, Motorola designed, installed, optimized, and has continuously maintained the Citywide Radio System upon which the City relies to provide communication support for its public safety services for the past several years; and

WHEREAS, Motorola has proposed a new turnkey upgrade and replacement for the existing microwave channel banks and the 800 MHz trunking system simulcast interface because the existing Siemens channel banks have now become technically obsolete and parts are no longer being manufactured by Siemens; and;

WHEREAS, the new channel bank system will offer unparalleled ease of system optimization, reduce maintenance costs, and require a smaller spare parts inventory; and

WHEREAS, it is necessary to purchase the turnkey channel bank system proposed by Motorola to ensure, among other things, that the Citywide radio system provides highly reliable communications over a wide area; and

WHEREAS, the Purchasing Department has determined that Motorola's services in connection with this agreement constitute a sole source pursuant to City code Section 2-1191 inasmuch as Motorola is the only authorized vendor to perform maintenance on the City's radio system; and

WHEREAS, the City and Motorola, Inc., desire to enter into an appropriate contractual agreement reflecting this lease-purchase arrangement; and;

WHEREAS, the Office of General Services has recommended that this transaction is in the best interest of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1: That the Mayor is hereby authorized to execute an appropriate contractual agreement on behalf of the City with Motorola, Inc., for the City's ACRS Radio System Upgrade Channel Bank Replacement, including a Lease-Purchase Agreement, and any and all related documentation for the purpose of replacing the existing microwave channel banks and the 800 MHz trunking system simulcast interface with Motorola's new turnkey channel bank system.

SECTION 2: That the term of the Lease-Purchase Agreement for the new turnkey channel bank system shall not exceed a total term of five (5) successive years. That the annual lease payments shall not exceed the sum of \$519,527, for the five (5) year total aggregate lease payments of \$2,597,635. The Lease-Purchase Agreement shall be subject to and expressly contingent upon the City's appropriation of sufficient funds to support each annual payment.

SECTION 3: That any such agreement, including any related documentation, shall not become binding upon the City and the City shall incur no obligation upon the same until such agreement has been approved by the City Attorney as to form, executed by the Mayor, sealed by the Municipal Clerk, and delivered to the contracting party.

SECTION 4: That all costs associated with this transaction shall be charged to and paid from the following fund, account and center numbers: General Fund, Fund Account Center Number 1A01 523001 T51013 in an amount not to exceed \$190,749; and the following Enterprise Funds, Fund Account Center Numbers 2H21 523001 R21E01219999 in an amount not to exceed \$93,937; 2J01 523001 Q21101, in an amount not to exceed \$93,937; 2J01 523001 Q31001 in an amount not to exceed \$46,968; 2J01 523001 Q51001 in an amount not to exceed \$46,968; 2P01 523001 M31101 in an amount not to exceed \$46,968.